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ZNR UUUUU ZZH
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FM AMEMBASSY NAIROBI
TO RUEHC/SECSTATE WASHDC PRIORITY 5604
INFO RUEHXR/RWANDA COLLECTIVE PRIORITY
RUEATRS/DEPT OF TREASURY WASHDC
RUCPDOG/DEPT OF COMMERCE WASHDC
RUEAWJA/DEPT OF JUSTICE WASHDC

UNCLAS NAIROBI 001099

SIPDIS

SENSITIVE

DEPT FOR AF/E, AF/RSA, AF/EPS, EEB/IFD/OMA, INL/C AND EEB/ESC/TFS
JUSTICE FOR AFMLS, OIA, AND OPDAT
JUSTICE FOR DE KLUIVER
TREASURY FOR FINCEN
TREASURY FOR VIRGINIA BRANDON

SIPDIS

E.O. 12958: N/A
TAGS: [PTER](#) [KCRM](#) [KTFN](#) [ECON](#) [EFIN](#) [KE](#)
SUBJECT: KENYAN GOVERNMENT SUBMITS ANTI-MONEY LAUNDERING BILL TO
PARLIAMENT

REF: 2007 NAIROBI 1015

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11. (SBU) Summary: The Government of Kenya (GOK) has submitted the Proceeds of Crime and Anti-Money Laundering Bill to Parliament by publishing it in the official Gazette on April 18. This is the first bill gazetted by the new grand coalition government to the new parliament, indicating perhaps that it is a high legislative priority. The Bill will be listed for its first Reading in Parliament on April 29. End summary.

12. (SBU) As suggested by the U.S. Department of Justice, the definition of "offense" in the gazetted draft is: "An offense against a provision of any law in Kenya, or an offense against a provision of any law in a foreign state for conduct which, if it occurred in Kenya, would constitute an offense in Kenya."

13. (SBU) The GOK's Anti-Money Laundering Task Force (AMLTF) told Econoff on April 1 that Article 8 of the AML bill would cover terrorist financing. Article 8 reads: "A person who knowingly transports, transmits, transfers or receives or attempts to transport, transmit, transfer or receive a monetary instrument or anything of value to another person, with intent to promote the carrying out of an offence, commits an offence." However, this claim appears to assume the bill against organized crime, which replaced the anti-terrorist bill, would also be submitted to Parliament and passed.

14. (SBU) Comment: In addition to our own relentless but discreet advocacy on this issue, one factor that probably accelerated GOK action on the anti-money laundering bill is the need to avoid embarrassment. Kenya is scheduled not only to host the August plenary meeting of the Financial Action Task Force (FATF) Eastern and Southern African Anti-Money Laundering Group (ESAAMLG), but also to assume the ESAAMLG presidency for one year.

RANNEBERGER